

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AVID OWVOR,

Petitioner

v.

INS DISTRICT DIRECTOR, ET AL.

Respondent

2004 JAN 21 P 3:47

Civil Action No.
03cv12445-GAO

MOTION TO DISMISS

The respondent¹ moves to dismiss this action pursuant to Fed. R. Civ. P. rule 12(b)(1) for lack of subject matter jurisdiction.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney


By:

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¹ The Immigration and Naturalization Service of the United States Department of Justice was "abolished" by section 471 of the Homeland Security Act of 2002, Pub. L. 107-296, tit. IV, subtit. D, E, F, 116 Stat. 2135, 2192 (Nov. 25, 2002) ("HSA"). Most of the interior enforcement functions of the former INS were transferred to the Department of Homeland Security ("DHS"), Directorate of Border and Transportation Security, Bureau of Immigration and Customs Enforcement. These changes were effective March 1, 2003. The responsive successor official of the Department of Homeland Security in the instant action is Interim Field Office Director Bruce Chadbourne for the Bureau of Immigration and Customs Enforcement in Boston, Massachusetts.

CERTIFICATE OF SERVICE

I hereby certify that I caused true copy of the above document to be served upon pro se petitioner by mail on January 21, 2004.


FRANK CROWLEY
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